

U.S. Application Serial No. 10/511,473
Attorney Docket: 71029-012
Reply to Office Action of March 4, 2009

REMARKS

Claim 14 has been added, and originally filed claims 1-13 remain in the applications. As such, claims 1-14 are pending in the application for examination. Reconsideration of the application in view of the following remarks is respectfully requested.

Claims 1-13 have been amended to remove reference numerals therein.

Claim Rejections Under 35 USC 112, Second ¶:

Applicants have amended claims 1, 4 and 6-8 to resolve antecedent basis issues. In particular, claim 4 has been amended to make proper reference to "pivot axis" in place of "pivot pin". Further, claims 6-8 have been amended to remove the back slashes, parentheticals and reference to "said shaft". As such, it is respectfully believed that the rejections are traversed.

Claim Rejections Under 35 USC 102(b):

Applicants traverse the rejection of claims 1, 2, 3, 9, 10 and 13 as being anticipated by Schmid et al. (WO 02/04269, referred to hereafter as "Schmid"). For at least the following reasons, Applicants respectfully believe the rejection should be withdrawn.

Claim 1, as amended, recites, a windscreens wiper device comprising, among other things, an elastic, elongated carrier element, as well as an elongated wiper blade of a flexible material, which can be placed in abutment with a windscreens to be wiped. The wiper blade includes opposing longitudinal grooves in which grooves spaced-apart longitudinal strips of the carrier element are disposed. The windscreens wiper device further has a connecting device for an oscillating wiper arm. The connecting device has engaging members welded to longitudinal sides of the longitudinal strips that face away from each. The connecting device and the engaging members being constructed as one piece of thermoplastic material and the longitudinal strips having an outer thermoplastic skin welded to the connecting device.

In contrast, the wiper device of Schmid does not disclose or otherwise suggest providing a connecting device constructed as one piece of thermoplastic material with longitudinal strips having an outer thermoplastic skin welded to the connecting device. Schmidt expressly teaches providing the wiper device 1 with spring rails 3 disposed in longitudinal grooves 4 with a

U.S. Application Serial No. 10/511,473
Attorney Docket: 71029-012
Reply to Office Action of March 4, 2009

connecting device 7 being welded to the spring rails 3 along their narrow sides facing away from one another, wherein the spring rails 3 and the connecting device 7 is disclosed as being made of anti-corrosion material (page 9, lines 15-17), such as deep drawn tin plate (page 10, lines 1-3 and page 12, lines 13-16). Further, in order to avoid corrosion of the spring rails 3 and anti-corrosion layer 19 (Figure 5) is provided thereon. In order to weld the metal connecting device 7 to the metal spring rails 3, the anti-corrosion layer 19 on the spring rails 3 must be removed subsequent to application in the areas to be welded. This can be done via scratching or burning process. Accordingly, though an effective weld may be obtained between the mating metal components, additional, costly processes are required to form a reliable weld joint. In addition, if the removal of the anti-corrosion layer 19 is not performed properly, the weld joint could be unreliable, and further, any areas uncovered outside of the weld area could be subject to corrosion. Applicants' claimed wiper device provides a wiper construction that overcomes at least these disadvantages in a unobvious, inventive manner.

Accordingly, claim 1, as amended, is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claim 3 is dependent upon amended claim 1 and further defines patentable subject matter in that the engaging members engage around said longitudinal strips. This is not taught nor suggested by the applied references.

Accordingly, claim 3, as amended, is believed to further define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claims 2, 9 and 10 are ultimately dependent on claim 1, and thus, are believed to define patentable subject matter for at least the same reasons. Such action is respectfully requested.

Claim 13 provides a method for manufacturing a windscreens wiper device. The method includes, among other things, forming opposing longitudinal grooves in longitudinal sides of an elongated wiper blade, in which grooves longitudinal strips of a carrier element are subsequently fitted in spaced-apart relationship. An oscillating arm is pivotally connected to a connecting device of the windscreens wiper device about a pivot axis near one end thereof. The connecting device is fitted with engaging members, which are welded to longitudinal sides of the longitudinal strips. Further, the method includes constructing the engaging members as one piece of thermoplastic material and providing said longitudinal strips with a thermoplastic skin.

U.S. Application Serial No. 10/511,473
Attorney Docket: 71029-012
Reply to Office Action of March 4, 2009

In contrast, as discussed above with regard to amended claim 1, Schmid does not teach nor suggest constructing engaging members as one piece of thermoplastic material and providing said longitudinal strips with a thermoplastic skin.

Accordingly, for at least similar reasons to those discussed above with respect to claim 1, claim 13 is believed to define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Claims 4 and 6-8 are ultimately dependent on claim 1. The reference Besnard (US 3,659,309), applied in combination with Schmid, does nothing to remedy the aforementioned shortcomings of Schmid. Accordingly, these claims are believed to define patentable subject matter for at least the same reasons. Such action is respectfully requested.

Claim 5 is ultimately dependent on claim 1. The reference De Block (DE 19907629), applied in combination with Schmid, does nothing to remedy the aforementioned shortcomings of Schmid. Accordingly, claim 5 is believed to define patentable subject matter for at least the same reasons. Such action is respectfully requested.

Claim 11 is ultimately dependent on claim 1. The reference Merkel (US 5,970,569), applied in combination with Schmid, does nothing to remedy the aforementioned shortcomings of Schmid. Accordingly, claim 11 is believed to define patentable subject matter for at least the same reasons. Such action is respectfully requested.

Double Patenting Rejection:

In view of the amendment to claim 1, applicants traverse the nonstatutory obviousness-type double patenting rejection of claims 1, 4, 9, 10, 11 and 12 over US 7,263,741 in view of Schmid. Nowhere in either reference is there a teaching or suggestion for arriving at applicants' invention as now claimed, with particular regard to providing the connecting device and the engaging members as being constructed as one piece of thermoplastic material and the longitudinal strips having an outer thermoplastic skin welded to the connecting device. Accordingly, it is believed that the rejection should be withdrawn. Such action is respectfully requested.

U.S. Application Serial No. 10/511,473
Attorney Docket: 71029-012
Reply to Office Action of March 4, 2009

New Claims:

Claim 14 has been added, and is dependent on method of claim 13, wherein claim 14 further includes welding the thermoplastic material of the engaging members to the thermoplastic skin on the longitudinal strips. This is not taught nor suggested in any of the applied references.

Accordingly, new claim 14 is believed to further define patentable subject matter and to be in proper form for allowance. Such action is respectfully requested.

Change of Correspondence Address:

Applicants' below signed attorney has submitted a change of correspondence address herewith. Please forward all future correspondence accordingly.

It is believed that this application now is in condition for allowance. Such action is respectfully requested.

A 1 month extension fee of \$130.00 is being paid herein. The Patent Office is authorized to charge or refund any fee deficiency or excess to Deposit Account No. 04-1061.

Respectfully submitted,

Dickinson Wright PLLC

Date: July 6, 2009

/John D. Wright/

John D. Wright
Reg. No. 49,095
38525 Woodward Ave., Suite 2000
Bloomfield Hills, MI 48304-2970
(248) 433-7390